

## **REMARKS**

In response to the Office Action mailed March 21, 2005, claims 1, 9-12 and 25 have been amended; claim 8 has been cancelled without prejudice; and new claims 32-40 have been added. Claims 1-7 and 9-40 are presently pending in this application. Reconsideration and reexamination of the application, as amended, are respectfully requested.

### **I. Claim Objections**

In the Office Action of March 21, 2005, claim 25 was objected to for a non-substantive informality. Claim 25 has now been amended, as suggested by the Examiner, to recite the word "member" instead of the word "bar." In view of this amendment, withdrawal of the objection to claim 25 is respectfully requested.

### **II. Double Patenting**

In the Office Action of March 21, 2005, claims 1-7 and 9-11 were rejected under the judicially created doctrine of obviousness-type double patenting. While this rejection is respectfully traversed, to expedite prosecution of this application, claim 1 has been amended to include the limitations of dependent claim 8. Specifically, claim 1 has been amended to specify that "the outer thread diameter of the bolts is larger than a diameter of the fastener openings of the sealing member." No double patenting rejections were raised with respect to claim 8 in the Office Action of March 21, 2005. Therefore, withdrawal of the double patenting rejection with respect to claims 1-7 and 9-11 are respectfully requested.

### **III. Claim Rejections Under 35 U.S.C. §103**

Claims 1-7 and 9-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,813,720 to Cassel in view of U.S. Patent No. 5,079,805 to Mlachnik. This rejection is respectfully traversed. However, in the interest of expediting prosecution, claim 1 has been amended to include the limitations of claim 8. Specifically, claim 1 has been amended to specify that "the outer thread diameter of the bolts is larger than a diameter of the fastener openings of the sealing member." In the Office Action of March 21, 2005, the Examiner indicated that the subject matter of claim 8 related to allowable subject matter. Therefore, it is

submitted that claim 1 is in immediate condition for allowance. Similarly, it is submitted that claims 2-7 and 9-16, which depend from claim 1, are also in immediate condition for allowance.

#### IV. Allowable Subject Matter

In the Office Action of March 21, 2005, the Examiner indicated that claims 8, 12-16 and 25-31 related to allowable subject matter. The Applicants thank the Examiner for notification of the allowability of these claims. Applicants also thank the Examiner for the allowance of claims 17-24.

#### V. New Claims 32-40

New claim 32 relates to a clamp including, among other things, a band, a sealing member, a reinforcing member and bolts that secure the clamp together. The bolts pass through fastener openings of the sealing member, and the fastener openings of the reinforcing members. The bolts have threads defining an outer thread diameter greater than a first diameter defined by the fastener openings of the sealing member. It is submitted that none of the prior art of record in the present application, either alone or in reasonable combination, teaches or suggests the combination of elements recited by claim 32. Therefore, it is submitted that claim 32, as well as dependent claims 33-40, are in immediate condition for allowance.

Support for claims 32-40 can be found in the application as originally filed at Figures 32A, 32B, 34, 35 and 36A-36C, as well as in the specification at page 11, lines 5-30, page 12, lines 1-3 and lines 18-29 and page 13, lines 11-21.

VI. Conclusion

In view of the above amendments and remarks, it is submitted that this application is in immediate condition for allowance. Notification of the allowance is respectfully requested. Please direct any inquiries concerning this application to the undersigned attorney at 612.336.4617.



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Respectfully submitted,

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